

IN THE HIGH COURT OF JUDICATURE AT PATNA

Second Appeal No.656 of 1991

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Sabir Ahmad @ Nanahe Pahalwan Appellant/s
Versus	
Md.Ibrahim & Ors Respondent/s

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Appearance :

For the Appellant/s : Mr. Braj Ballabh Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

28 31-07-2018

Heard learned counsel for the parties.

I.A.No.2375 of 2014 has been filed on behalf of the appellants, praying therein for substitution of legal heirs of deceased respondent No.9-Beni Bhuian, who had died on 25.01.2012, leaving behind the legal heirs, mentioned in paragraph-1 of the petition.

The proposed heirs have already received notice of the aforesaid I.A. but there is no objection.

The delay in filing of the aforesaid substitution petition is explained in I.A.No.5644 of 2018, a petition under Section 5 of the Limitation Act. Hence, the delay is condoned and abatement, if any, arising out of death of respondent No.9, is set aside and the legal heirs mentioned in paragraph-1 of I.A.No.2375 of 2014 are ordered to be substituted.

Let appeal notice should go to the newly substituted heirs of respondent No.9 through both the



processes. Requisites must be filed within three weeks.

Accordingly, both the aforesaid I.As stand disposed of.

(Birendra Kumar, J)

Nitesh/-

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